Response Under 37 C.F.R. § 1.111 USSN 20/791,382

by itself a sufficient basis for requiring election, and in any event is not at this point correct.

Since all claims read on the elected species, the election does not reduce the examiner's

workload in any significant way. If claim 1 is allowable, there may be no need for the examiner

to search for the details of claims 9 and 10 whether there is an election of species or not. On the

other hand, if claim 1 is not found allowable, the examiner will have to search for all of the

subject matter of claims 9 and 10 regardless of whether there has been an election of species.

The only impact of the election of species is to impose a constraint on the possible later addition

of further dependent claims directed to individual materials, but it is believed that an election of

species requirement is presently premature and would be more properly stated at that time, i.e.,

when such individual claims are added and the issue is real rather than possible, as opposed to

now.

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Examination on the merits is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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Date: January 4, 2006

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